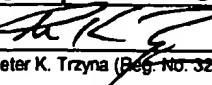


I hereby certify that this correspondence is being filed by depositing it with the United States Postal Service as first class mail in an envelope with sufficient postage and addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on the date indicated below.

Date: 20 Oct 2000

Signed: 

Peter K. Trzyna (Reg. No. 32,601)



PATENT

Paper No.

File:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

Inventors : SCHUTZ, Jared P.

Serial No. : 09/149,650

Filed : 8 September 1998

For : COMPUTER CONTROL SYSTEM LOCATED AT AN ORDER CENTER FOR SHIPPING PRODUCT FROM A REMOTLEY LOCATED DISTRIBUTION CENTER

Group Art Unit : 2876

Examiner :

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Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

### TRANSMITTAL LETTER

SIR:

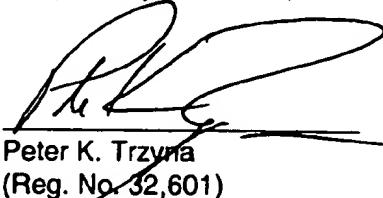
Please enter the following enclosed documents in the above-identified patent application.

1. Assignment and PTO Form 1595.

The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,

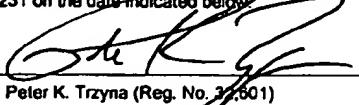


Peter K. Trzyna  
(Reg. No. 32,601)

Date: 20 Oct 2000

P.O. Box 7131  
Chicago, IL 60680-7131  
(312) 240-0824

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to the Commissioner of Patents and Trademarks, Washington,  
D.C. 20231 on the date indicated below.

By   
Peter K. Trzyna (Reg. No. 37,501)

Date 20 Oct 2006



PATENT

Paper No. 1

File No.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

Inventor : SCHUTZ, Jared P.  
Serial No. : 09/149,650  
Filed : 8 September 1998  
For : COMPUTERIZED CONTROL SYSTEM LOCATED  
AT AN ORDER CENTER FOR SHIPPING  
PRODUCT FROM A REMOTELY LOCATED  
DISTRIBUTION CENTER

Group Art Unit :

Examiner :

---

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**ASSIGNMENT OF INVENTION**

SIR:

WHEREAS, I, the respective undersigned, am an officer of the Assignee  
ProFlowers, Inc., Assignee of record for the above-referenced patent application, as  
shown by Assignment filed with the U.S. Patent and Trademark Office recorded at Reel  
954, Frame 0205; and

WHEREAS Jared Schutz (hereinafter, the "Assignee"), an individual  
having an address at PO Box 4549 Boulder Colorado 80306 wishes to acquire from  
ProFlowers, Inc. all right to the entire right, title, and interest therein certain rights  
(Certain Rights) to some of the subject matter therein, including rights to improvements

thereto, and thereunder, including, patent rights and any further applications and patents related thereto or claiming priority therefrom, but only to the extent pertaining to said Certain Rights, with no license expressed or implied hereby from ProFlowers, Inc. to Jared P. Schutz, and no right to control ProFlowers, Inc. patent application prosecution;

WHEREAS said Certain Rights extend only to "build-your-own" type customizing of orders and anonymous giving, including the subject matter in pending claims 44-49, but not to any other subject matter, patent claims, rights, or interest in the ProFlowers, Inc. patent application or any patent resulting from, or claiming priority to, the ProFlowers, Inc. patent application.

NOW, THEREFORE, in consideration of a perpetual and royalty free license to that which is assigned, plus ten dollars (\$10.00) in hand paid to ProFlowers, Inc., the receipt of which by me is hereby acknowledged, and other good and valuable consideration received by me, I hereby acknowledge that ProFlowers, Inc. has sold, assigned, transferred, and set over, and by these presents do hereby sell, assign, transfer, and set over, unto the Assignee, its successors, and assigns, the entire right, title and interest in, to, and said Certain Rights under any and all inventions disclosed or described in the above-identified patent application and any and all rights thereto, including the right to patent, any and all United States and foreign patents which may be granted pursuant thereto, and any and all United States and foreign applications, continuations, divisions, renewals, and substitutes thereof, as well as any reissues or reexamination patent(s); and I hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent for said invention to the Assignee its successors, and assigns, in accordance with the terms of this instrument;

AND I HEREBY covenant that ProFlowers, Inc. has full right to convey the entire interest assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

AND I HEREBY further covenant that ProFlowers, Inc. respectively will communicate to the Assignee, its successors, legal representatives, and assigns, any facts known respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the assignee, its successors, legal representatives, and assigns, to obtain and enforce proper patent protection for said invention;

THIS ASSIGNMENT of Invention is the entire agreement as to its subject matter. If any portion of this Assignment of Invention is determined to be invalid, illegal, or unenforceable under any present or future law by the final judgment of any court of competent jurisdiction, the remainder of this Assignment of Invention shall not be effected thereby. It is the intention of the undersigned that if any portion of this Assignment of Invention is determined to be invalid, a portion as similar in terms to such portion as is possible to be legal, valid, and enforceable shall be added in lieu thereof.

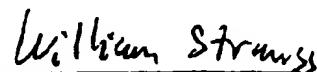
IN TESTIMONY WHEREOF, I respectively hereunto set hands and seals on the day and year set opposite my signature, on behalf of ProFlowers, Inc.

ProFlowers, Inc.

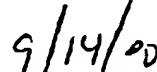
Full Name:



Signature:



Date:



OCT 06 2000  
PATENT & TRADEMARK OFFICE

11-15-2000



101516763

... attached original document or copy thereof.

To the Honorable Commissioner of F

1. Name of conveying party(ies):

Jared P. Schutz

Additional name(s) of conveying party(ies) attached?

Yes  No

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies):

Name: ProFlowers Inc.

Internal Address: Second Floor

Street Address: 5005 Waterridge Vista Drive

City: San Diego

State: California Zip: 92121

Additional name(s) & address(es) attached?

Yes  X  No

4. Application number(s) or registration number(s): 09/149,650

If this document is being filed together with a new application, the execution date of the application is \_\_\_\_\_

A. Patent Application No.(s) 09/149,650

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Peter K. Trzyna

Internal Address: P.O. Box 7131

City: CHICAGO State: IL Zip: 60680

6. Total number of applications and patents involved 1

7. Total fee (37 C.F.R. 3.41) \$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 50-0235

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Peter K. Trzyna

Name of Person Signing

Signature

2000  
September 27, 2000

Date

Total number of pages including cover sheet, attachments and document: 4

Mail documents to be recorded with required cover sheet information to:

11/13/2000 DNGUYEN 00000182 600235 09149655 Commissioner of Patents & Trademarks, Box Assignments Washington, D.C. 20231

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 13, 2001

PTAS

PETER K. TRZYNA  
P.O. BOX 7131  
CHICAGO, IL 60680



\*101516763A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/04/2000

REEL/FRAME: 011229/0928  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SCHUTZ, JARED P.

DOC DATE: 09/14/2000

ASSIGNEE:

PROFLOWERS, INC.  
5005 WATERRIDGE VISTA DRIVE  
SECOND FLOOR  
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 09149650  
PATENT NUMBER:

FILING DATE: 09/08/1998  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS